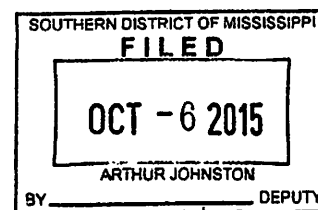


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:15cr68LG-RHW

EDUARDO GUILLERMO DIAZ

18 U.S.C. § 1341

18 U.S.C. § 1343

The Grand Jury charges:

COUNTS 1 - 4

Beginning in or about February 2012, and continuing through the date of this indictment, in Jackson and Harrison Counties, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendant, **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury, knowingly devised and intended to devise a scheme and artifice to defraud, and to obtain money and property from investors, by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme or artifice, and attempting to do so, did place or cause to be placed, in any post office or authorized depository for mail matter, matter and documents to be sent or delivered by the United States Postal Service mails and private and commercial interstate carriers.

To accomplish his fraudulent purposes, it was part of the scheme that the defendant, **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury, would make materially false and fraudulent representations and solicit significant sums of money from clients, several with whom the defendant had previously developed a business relationship for investments.

It was further a part of the scheme that the defendant would convert his investors' monies in an aggregate amount of at least \$1,063,089.21 to his own use and possession, using the funds

inconsistently with the representations he had made to the clients.

It was a further part of the scheme that the defendant would unjustly enrich himself by deceiving individuals who had relied on him to make sound and secure investments by instead either secretly converting their investment money to his own use and enjoyment, and by using new investor's monies to pay alleged dividends and make repayments or refunds to previous investors all the while intending to deceive or lull his clients into believing that the funds were properly invested.

It was further a part of this scheme that the defendant would conceal, misrepresent and hide, and cause to be concealed, misrepresented and hidden, the existence, purpose, and acts done in the furtherance of the scheme, continuing up to and through the date of this indictment.

On or about each of the dates set forth below, in Jackson and Harrison Counties, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendant, **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury for the purpose of executing the previously described scheme and artifice to defraud as set forth above, and attempting to do so, knowingly caused to be sent or delivered by the United States Postal Service and private and commercial interstate carrier, with each constituting a separate count:

COUNT	DATE	DESCRIPTION
1	On or about February 23, 2012	Pentagon Federal Credit Union ("PenFed") check number 230 in the amount of \$50,000.00 payable to "DFS" sent via U.S. Mail from Kentucky to Mississippi
2	On or about February 7, 2014	Chase Bank check number 1041 in the amount of \$15,000.00 payable to "DFS" sent via U.S. Mail from Arizona to Mississippi
3	On or about August 7, 2014	Regions Bank Cashier's check number 5501252112 in the amount of \$55,000.00 payable to "WMIS" sent via U.S. Mail from Florida to Mississippi
4	On or about September 10, 2014	Wells Fargo Bank check number 102 in the amount of \$30,000.00 payable to "WMIS" sent via U.S. Mail from Florida to Mississippi

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All in violation of Sections 1341 and 2, Title 18, United States Code.

COUNTS 5 - 6

That from in or about February, 2012, and continuing through in or about December 2014, in Jackson and Harrison Counties, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendant, **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury, intentionally devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and in furtherance thereof, did cause to be transmitted by means of wire or radio communications in interstate commerce, certain wire communications and writings, signs, signals, pictures, or sounds, for the purpose of executing the scheme.

It was part of the scheme and artifice to defraud in order to accomplish his fraudulent purposes, that defendant **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury, made materially false and fraudulent representations and solicited significant sums of money from clients, and converted his investors' monies to his own use and possession, using the funds inconsistently with the representations he had made to the clients.

It was a further part of the scheme that the defendant would unjustly enrich himself by deceiving individuals who had relied on him to make sound and secure investments by instead either secretly converting their investment money to his own use and enjoyment, and by using new investor's monies to pay alleged dividends and make repayments or refunds to previous investors all the while intending to deceive or lull his clients into believing that the funds were properly invested.

It was further a part of this scheme that the defendant would conceal, misrepresent and hide, and cause to be concealed, misrepresented and hidden, the existence, purpose, and acts done in the furtherance of the scheme, continuing up to and through the date of this indictment.

On or about each of the dates set forth below, in Jackson and Harrison Counties, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendant, **EDUARDO GUILLERMO DIAZ**, aided and abetted by others known and unknown to the Grand Jury, for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce certain writings, signals, pictures and sounds by means of a wire transfer, with each constituting a separate count:

COUNT	DATE	DESCRIPTION
5	December 12, 2014	A wire transfer in the amount of \$40,000.00 from inside the State of Mississippi to a bank account at Pentagon Federal Credit Union ("PenFed") in Alexandria, Virginia
6	December 16, 2014	A wire transfer in the amount of \$50,000.00 from inside the State of Mississippi to a bank account at Pentagon Federal Credit Union ("PenFed") in Alexandria, Virginia

All in violation of Sections 1343 and 2, Title 18, United States Code.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses. Further, if any property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is

the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Section 981(a)(1)(C), Title 18, United States Code, and Section 2461, Title 28, United States Code.


GREGORY K. DAVIS
United States Attorney

A TRUE BILL:

s/signature redacted

Foreperson of the Grand Jury -

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 6th day of OCTOBER, 2015.


UNITED STATES MAGISTRATE JUDGE